THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT APPEAL No.1377 of 2005

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Dated 29-07-2005

The Chief Executive Officer and another

….Appellants

and

M.A.Azeem Baig and another ….Respondents

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and

THE HON'BLE SRI JUSTICE K.C.BHANU

WRIT APPEAL No.1377 of 2005

J U D G M E N T (Per the Hon'ble Sri Bilal Nazki, ACJ)

Heard learned counsel for the parties.

Learned Single Judge has allowed the writ petition on the ground that the authority, which has placed the writ petitioner under suspension, had no power to do so.

It is submitted that the second respondent in the writ petition had the authority to suspend the writ petitioner pending enquiry, but this power was exercised by the first respondent in the writ petition on the instructions of the second respondent. There is nothing in the impugned order, which would suggest that this order had been passed on the instructions of the second respondent. In any case, if the appellants feel that the writ petitioner has to be placed under suspension, the competent authority can always pass such an order after complying with the provisions of law.

With these observations, the writ appeal is disposed of. No order as to costs.

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(Bilal Nazki, ACJ)

29th July, 2005

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(K.C.Bhanu,J)

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